

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-10, which are hereby amended, are currently pending. Claims 1 and 6 are independent. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 13, 14 and 25-28. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. §102(b)**

Claims 1-10 were rejected, in the Final Office Action dated October 5, 2004, under 35 U.S.C. §102(b) as allegedly anticipated by EP 0 801 509 A2 to Kameyama.

Claim 1 recites, *inter alia*:

“...first generating means for generating a first brightness transfer gain signal;  
second generating means for generating a second brightness transfer gain signal; and

third generating means for generating a third brightness transfer gain signal as a function of the first brightness transfer gain signal and the second brightness transfer gain signal,

wherein the two luminance knee processing operations are performed as a function of the third brightness transfer gain signal.” (emphasis added)

Applicant submits that Kameyama does not teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion of the first second and third brightness transfer gain signals and two luminance knee processing operations performed as a function of the third brightness transfer gain signal, as recited in claim 1. Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claim 6 is also believed to be patentable.

Therefore, Applicant submits that independent claims 1 and 6 are patentable.

### **III. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By Thomas F. Presson  
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800